

REMARKS

The foregoing amendments and these remarks are in response to the Final Office Action dated January 29, 2010. This amendment is timely filed.

At the time of the Office Action, claims 1-22 and 24 were pending in the application. In the Office Action, objections were raised to the drawings. Claims 22 and 24 were rejected under 35 U.S.C. §102(b). Claims 1-21 were allowed. The objections and rejections are discussed in more detail below.

I. Objections to the Drawings

The drawings were objected to under 37 CFR §1.83(a) as failing to show every feature of the invention specified in the claims. Applicant has added new Fig. 7 herein, which seeks to overcome the drawing objection. Fig. 7 is a mirror image of Fig. 5, showing the viewing device 10 after it has been rotated about axis 44 for use while the user is positioned on the opposite side of the weapon. Applicant has also amended the specification accordingly to list Fig. 7, and to amend paragraph [0059]. No new matter is added, and withdrawal of the objection is respectfully requested.

II. Rejections based upon Art

Claims 22 and 24 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,643,969 to Avizonis, Jr. (hereafter "Avizonis"). Claims 22 and 24 have been amended to align with allowable claim 1. Claims 22 and 24 are thus believed allowable for the reasons given previously for the allowability of claim 1.

For the foregoing reasons, the independent claims are believed to relate to patentable subject matter, and to be in condition for allowance. The dependent claims are believed allowable because of their dependence upon an allowable base claim, and because of the further features recited.

III. Conclusion

Applicants have made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicants
(WP655674:1)

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Amendment

Reply to Final Office Action dated January 29, 2010

invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicants respectfully request reconsideration and prompt allowance of the pending claims.

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Respectfully submitted,



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